IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Revision No.4831 of 2006
Date of Decision: 15.09.2006

Indro Devi ...Petitioner

Vs.

Dharam Singh & Ors. ...Respondents

CORAM Hon'ble Mr.Justice Vinod K.Sharma

Present: Mr.J.P.Dhull, Advocate,
for the petitioner.

Vinod K.Sharma, J. (Oral)

Present revision petition has been filed against an order passed by the learned Motor Accident Claims Tribunal, Kaithal vide which the application moved by the petitioner to release the amount lying in the FDR has been rejected by holding that the petitioner has not been able to show the genuine need.

The petitioner is major and therefore, in view of the law laid down by Hon'ble Supreme Court in H.S.Ahammed Hussain Vs. Irphan Ahammed 2002 (3) R.C.R. (Civil) 563, no restriction can be placed on the rights of the petitioner to claim money lying deposited in her name. This revision petition is allowed and the impugned order is set aside. The bank is directed to release the F.D.R. lying in the name of petitioner.

(Vinod K.Sharma)
15.09.2006 Judge
rp